

## **EXAMINER'S COMMENTS and AMENDMENTS**

1. Applicant's Response, Amendments, and foreign priority filing translation, filed 9/18/2009 are acknowledged and ENTERED.
2. The IDS filed 4/28/2009 has been considered. A signed copy is attached.
3. Claims 1-11 are pending. Claims 1-4 and 7-11 are withdrawn from consideration. Claims 4-6 are pending and under examination.
4. An Examiner's amendment to the claims appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
5. Authorization for this Examiner's Amendment was given in a telephone interview with Applicant's Representative Jennifer Wahlsten on 27 December 2009. Authorization was given to amend the claims by Examiner's Amendment and pass the case to issue. An Examiner-initiated Interview Summary between the examiner and Applicant's Representative is attached hereto.

### **IN THE CLAIMS:**

Claims 1-3 and 7-11 are cancelled.

Claim 6 is amended to read:

The method for diagnosis of claim 5, wherein the amount of the free insulin receptor  $\alpha$ -subunit is measured by the steps of: (1) contacting a blood sample with an antibody recognizing the insulin receptor  $\alpha$ -subunit; (2) detecting binding of said antibody to the insulin receptor  $\alpha$ -subunit present in blood; and (3) determining the amount of free insulin receptor  $\alpha$ -subunit in blood based on the level of binding detected between said antibody and subunit.

6. All objections and rejections of record are WITHDRAWN.

7. Claims 4, 5, and 6 are allowed with the above Examiner's Amendment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHERIE M. WOODWARD whose telephone number is (571)272-3329. The examiner can normally be reached on Monday - Friday 9:30am-6:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Nickol can be reached on (571) 272-0835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Cherie M. Woodward/  
Primary Examiner, Art Unit 1647